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Introduction: Early modern political petitioning and public engagement in Scotland, Britain and Scandinavia c. 1550–1795

Karin Bowie and Thomas Munck

School of Humanities, University of Glasgow, Scotland

The petition was one of the most ubiquitous modes of formal communication found across early modern Europe. Its Latin root, *petitio*, infused the early modern petition with multiple potential meanings: on its softer side, the term encompassed a request, prayer or suit for favour, also suggested by the close synonym *supplicatio* or supplication. More assertively, *petitio* could indicate a claim or even an attack or demand.¹ By the late medieval period, various types of petition were employed to make routine or extraordinary requests to resolve grievances, complaints or needs. This combination of problem and plea meant that, as Amanda Jane Whiting has observed, the ‘petitionary mode’ combined a ‘habitually deferential’ tone with a ‘paradoxically critical’ edge.² In the deeply hierarchical societies of early modern Europe, the upward expression of solicitations and grievances via the petition was hedged with conventions of form and language designed to protect the authority of the recipient. Yet petitions could be challenging, especially in a context of discontent or revolt.

¹ ‘Petitio’, *Logeion* (University of Chicago, March 2017), <http://logeion.uchicago.edu/index.html#petitio> [last accessed 23 February 2018].

² A.J. Whiting, *Women and Petitioning in the Seventeenth-century English Revolution: Deference, Difference and Dissent* (Turnhout, 2015), p. 2.

Though medieval historians have long recognized the significance of petitions in expressing protests on behalf of urban and rural communities, early modern scholars have identified a shift towards more assertive and participatory forms of collective complaint and argument, facilitated in some cases by print publication.³ Building on recent research in this field, in 2017 a pair of workshops was held at the University of Glasgow to investigate typical petitioning practices across secular and ecclesiastical courts, assemblies and administrations and explore some of the ways in which these routine practices changed in the early modern era.⁴

Petitioning has emerged as a topic of interest within wider research on the scope and nature of political communication and its impact on popular political engagement. Peter Blickle has given prominence to peasant petitioning (and other forms of action) in the Holy Roman Empire from the time of the Reformation onwards. He and a number of other historians have used the intricate and decentralized political structures of western Germany and Switzerland to explore political engagement in early modern Europe, showing the many ways in which petitions could provide some degree of political

³ S.K. Cohn, *Creating the Florentine State: Peasants and Rebellion 1348–1434* (Cambridge, 1999), chs 6–9; Whiting, *Women and Petitioning*, p. 11 and see notes 5–12.

⁴ We are grateful for the support provided for these workshops by the Royal Society of Edinburgh and our knowledge exchange partner, Catherine Fergusson, Clerk to the Public Petitions Committee at the Scottish parliament.

interaction between those in authority and those outside the ‘political nation’.⁵ Andreas Würgler and Beat Kümin have been particularly active in this field, comparing both local and central interactions of power across different contexts, including petitioning, publications, assemblies, protest-movements, and other forms of action.⁶ The shared culture of petitioning indicated by this research can be seen operating in the later eighteenth century in the complementary petitioning traditions of colonial Britain and France.⁷ Research in the Netherlands has highlighted the role of political petitioning in periods of serious political change, as in the Dutch revolt and at critical points in the Dutch Republic, especially in 1672 and again from the 1780s.⁸

⁵ P. Blickle (ed.), *Gemeinde und Staat im alten Europa* (Munich, 1998).

⁶ A. Würgler, *Unruhen und Öffentlichkeit: städtische und ländliche Protestbewegungen im 18. Jahrhundert* (Tübingen, 1995); B. Kümin and A. Würgler, ‘Petitions, *gravamina* and the early modern state: local influence on central legislation in England and Germany (Hesse)’, *Parliaments, Estates & Representation* 17, (1997), pp. 39–60. See also L. H. van Voss (ed.), *Petitions in Social History*, supplementary volume 9 of the *International Review of Social History* 46, (2001), including a helpful taxonomic paper by A. Würgler, ‘Voices from among the “silent masses”: humble petitions and social conflict in early modern central Europe’, pp. 11–34; W. te Brake, *Shaping History: Ordinary People in European Politics, 1500–1700* (Berkeley, CA, 1998); ‘Addressing Authority: an online symposium on petitions and supplications in early modern Europe’ (2016), <https://manyheadedmonster.wordpress.com/2016/11/01/addressing-authority/> [last accessed 27 February 2018].

⁷ H.W. Muller, ‘From *requête* to petition: petitioning the monarch between empires’, *The Historical Journal* 60, (2017), pp. 659–86.

⁸ H. van Nierop, ‘A beggars’ banquet: the compromise of the nobility and the politics of inversion’, *European History Quarterly* 21, (1991), pp. 419–43; M. Reinders, “‘The

David Zaret and other historians have highlighted an extraordinary explosion in organized collective petitioning during the English civil wars, and more generally have indicated the significance of petitions in early modern English parliamentary culture.⁹ Zaret has argued that the subscription and printing of collective petitions, and news about petitioning, marked the origins of a modern participative public sphere in 1640s England.¹⁰ We will return below to the added dimension of printing, and what that meant for the nature and impact of collective petitioning. In Scotland, the political impact of

citizens come from all cities with petitions”: printed petitions and civic propaganda in the seventeenth century’, in F. Deen, D. Onnekink and M. Reinders (eds), *Pamphlets and Politics in the Dutch Republic* (Leiden, 2011), pp. 97–118; H. van Nierop, ‘Private interests, public policies: petitions in the Dutch Republic’, in A.G. Wheelock and A. Seef (eds), *The Public and Private in Dutch Culture of the Golden Age* (Newark, 2000), pp. 33–9; for a later period, see also J. Oddens, ‘The greatest right of them all: the debate on the right to petition in the Netherlands from the Dutch Republic to the Kingdom (c.1750–1830)’, *European History Quarterly* 47, (2017), pp. 634–56.

⁹ M. Knights, *Representation and Misrepresentation in Later Stuart Britain: Partisanship and Political Culture* (Oxford, 2005); J. Maltby, *Prayer Book and People in Elizabethan and Early Stuart England* (Cambridge, 1998), chs 3, 5; J. Peacey, *Print and Public Politics in the English Revolution* (Cambridge, 2013); B. Weiser, ‘Access and petitioning during the reign of Charles II’, in E. Cruickshank (ed.), *The Stuart Courts* (Stroud, 2005). For earlier petitions see G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the Late Middle Ages* (Oxford, 2007); R. Hoyle, ‘Petitioning as popular politics in early sixteenth-century England’, *Historical Research* 75, (2002), pp. 365–89; W.M. Ormrod, ‘Murmur, clamour and noise: voicing complaint and remedy in petitions to the English crown, c.1300–c.1460’, in W.M. Ormrod, G. Dodd and A. Musson (eds), *Medieval Petitions: Grace and Grievance* (York, 2009).

¹⁰ D. Zaret, *Origins of Democratic Culture: Printing, Petitions and the Public Sphere in Early Modern England* (Princeton, 2000).

organized petitioning has been seen in studies of campaigns in 1637 and 1706–07.¹¹ In both British realms, as elsewhere¹², factional conflict also encouraged the development of the ‘loyal address’, a petition that might not ask for anything, instead offering a calculated public affirmation of the signatories’ allegiance to the ruler.¹³ Petitioning has been shown to be a fundamental part of British political culture up to and after the Act of Union of 1707, with a notable expansion in popular participation from the 1750s.¹⁴

This historiography points to the significance of petitioning in local and national contexts and indicates the importance of investigating contemporary petitioning terminology and practices to shed light on early modern political structures and important changes in political communication. The early modern ‘petition’ included many forms and types: in English, to the ‘petition’,

¹¹ L. Stewart, *Rethinking the Scottish Revolution: Covenanted Scotland, 1637-1651* (Oxford 2016), chs 1, 6; K. Bowie, *Scottish Public Opinion and the Anglo-Scottish Union* (Woodbridge, 2007), ch. 6; K. Bowie (ed.), *Addresses Against Incorporating Union, 1706–1707* (Woodbridge, 2018).

¹² For example France during the Fronde 1648-53; see also the examples in Thomas Munck’s article.

¹³ E. Vallance, “‘From the hearts of the people’: loyalty, addresses and the public sphere in the Exclusion Crisis’, in T. Claydon and T.N. Corns (eds), *Religion, Culture and National Community in the 1670s* (Cardiff, 2011).

¹⁴ M. Knights, “‘The lowest degree of freedom’: the right to petition parliament, 1640-1800’, *Parliamentary History* 37:S1, (July, 2018), pp. 18-34; P.A. Pickering, “‘And your petitioners &c’: Chartist petitioning in popular politics’, *English Historical Review* 116, (2001), pp. 368–87; for a discussion of routine petitioning for everyday assistance, concessions and emergency relief, see R.A. Houston, *Peasant Petitions: Social Relations and Economic Life on Landed Estates, 1600–1850* (Basingstoke, 2014).

‘supplication’ and ‘address’ already mentioned can be added the ‘remonstrance’, the ‘complaint’ and the ‘representation’. In a stimulating workshop paper that could not be included here, Beat Kümin offered a typography of petitioning in the Holy Roman Empire where a range of supplicative processes evolved within the Empire’s complex institutional context. Kümin emphasized the need to be precise about the aims of different types of petitioning. He reserved ‘petition’ (individual or collective) for requests for the confirmation of new political rights by superior authorities, distinguishing this from claims based on existing privileges, prompts reminding the recipient of normal practices that should be followed, *gravamina* (grievances) presented within representative assemblies, *Rechtssupplikationen* (legal supplications) on disputes in law, and individual pleas asking for ad hoc assistance, favours and economic support.

These categories, arising from the structure of the Holy Roman Empire with its overlapping jurisdictions,¹⁵ might not fit other contexts, but the study indicates how well early modern petitioning practices had evolved to fit specific forms of political culture. Opportunities to present complaints to assemblies, for example, varied. In France, there could be no formal grievances (*doléances*) in those parts of the country that had no surviving provincial assemblies (Estates) – and although some were compiled for the meeting of the Estates General

¹⁵ See also A. Schlaak, ‘Overloaded interaction: effects of the growing use of writing in German imperial cities, 1500–1800’, in J.P. Coy, B. Marschke and D.W. Sabean (eds), *The Holy Roman Empire Reconsidered* (New York/Oxford, 2010), pp. 35–47.

planned for 1648, that body never actually convened, leaving France without a meaningful national assembly until 1789. Denmark-Norway also operated without any national representative assembly after 1660. By contrast the presentation of grievances to regional or national assemblies remained very significant in the United Provinces and in Poland-Lithuania, and in those other parts of Europe which had working representative assemblies (whether national or provincial). In England, petitions submitted to parliament relating to shared concerns were from the fourteenth century designated as ‘common’ petitions.¹⁶ In the late sixteenth century, petitions were received by a committee of the House of Commons and reworked into draft articles for the legislature. In addition, the Commons and Lords could present collective grievances for redress to the crown using a petition of right (which claimed justice by recognition of an existing privilege) or a petition of grace (which asked for a new privilege as a boon).¹⁷

Instead of a general taxonomy, this Special Issue offers a series of papers investigating political petitioning practices in early modern Scotland, England and Denmark-Norway. It starts from the premise that petitions provided a means for subjects, including ordinary individuals, to communicate with those in power, creating a type of participatory politics broadly defined: that is, petitions

¹⁶ Dodd, *Justice and Grace*, ch. 5.

¹⁷ In English legal practice, a petition of right also referred to a petition by which an individual brought an action against the crown. E.R. Foster, ‘Petitions and the Petition of Right’, *Journal of British Studies* 14, (1974), pp. 21–45.

submitted by individuals or groups at all levels of society sought intervention from institutions or individuals to correct perceived misuses of power, confirm or implement an expected course of action, or intervene in complex disputes where normal mechanisms of settlement proved insufficient. Early modern historians have long since recognized that the exercise of power relied on structures of authority which stretched all the way down through national, regional and municipal government, the many layers of law courts, parish and church structures, the daily authority of local officials (whether paid or voluntary), right down to the legally sanctioned powers of a head of household controlling and disciplining subordinate members (including servants, apprentices, spouses and children). Petitions could work at any of these levels, and while many petitions might simply accept (or even seek to reinforce) existing authority, they often threw light on how power and authority were used throughout society. In that sense, petitioning was political, though only some petitions related to matters of policy. Petitions could be described as part of a process of negotiating power, across a great variety of local, regional or national contexts.

Petitioning was normally accepted as legitimate by those in authority precisely because the process could defuse tensions and avert more direct confrontations. As Derek Beales has demonstrated, proactive encouragement of petitioning by Joseph II in the Austrian lands in the 1780s turned petitions into a critical tool by which the functioning of the administration could be monitored,

and government-driven reform secured more effectively.¹⁸ Petitioning could also be used to seek the intervention of higher powers in long-running conflicts – with the law, the church, local government, military personnel, or landowners – that could not be resolved locally. At the highest level, petitions could be addressed directly to the sovereign, or to a regional or national representative assembly where these existed. Where parliaments, meetings of estates, or regional assemblies were active, bargaining over petitions and the redress of grievances were critical components in the effective operation of representative institutions. Most had well-established means for the submission of complaints, as petitions, *gravamina*, *requêtes* and other forms, relating to local affairs or national policies.¹⁹ Recent work on Sweden shows how, during a period of strong parliamentary government from 1719 to 1772, a large volume of petitions was channelled towards the Swedish *Riksdag* and its committees. In Sweden, as elsewhere in Europe, petitions and parliamentary *gravamina* served to reinforce traditional power structures and deference. The Swedish evidence even suggests that petitioning may not have provided much of a political ‘safety-valve’, perhaps because the representative system of the Swedish

¹⁸ D. Beales, *Joseph II: Against the World 1780–1790* (Cambridge, 2009), pp. 143–54; D. Beales, ‘Joseph II, petitions and the public sphere’, in H. Scott and B. Simms (eds), *Cultures of Power in Europe during the Long Eighteenth Century* (Cambridge, 2007), pp. 249–68.

¹⁹ C. Nubola and A. Würgler (eds), *Bittschriften und Gravamina: Politik, Verwaltung und Justiz in Europa, 14.–18. Jahrhundert* (Berlin, 2005).

Riksdag itself served as a more effective means of political engagement.²⁰ We might also note how the *cahiers de doléances* compiled in France in connection with elections to the forthcoming Estates General of 1789 were meant as a continuation of the traditional practice of each Estate presenting grievances, albeit undertaken on a much more comprehensive and systematic basis.²¹

This collection explores some ways in which collective petitioning could offer a means of expressing concerted complaints on issues of national significance to rulers or assemblies. An assembly could use a petition to reclaim customary rights, as in England's 1628 Petition of Right.²² Or oppositional interests could use a petitioning campaign to bombard a ruler or assembly with arguments and pleas for action. If a petition was understood to express the views of a community, then it could be claimed that a petitioning campaign captured the national will. Mass subscription on petitions raised the stakes further by engaging individuals to associate publicly with a particular viewpoint.

The papers also indicate how the impact of petitioning might be amplified

²⁰ M. Almbjär, 'The voice of the people?: Supplications submitted to the Swedish Diet in the age of liberty, 1719–1772' (Umeå University, PhD thesis, 2016).

²¹ R. Chartier, 'From words to texts: the *cahiers de doléances*', in *The Cultural Uses of Print* (Princeton, 1987), pp. 110–44; J. Markoff, *The Abolition of Feudalism: Peasants, Lords and Legislators in the French Revolution* (University Park, PA, 1996). Louis XVI even made the totally unconvincing claim, in the crisis of 17–23 June 1789, that he knew what was in the (many thousand) *cahiers de doléances*, and so understood the French nation.

²² Foster, 'Petitions and the Petition of Right'.

through print, whether to aid the circulation of petitions for signature or to publish them after presentation. The use of print in England changed dramatically between 1639 and 1642. A survey of the English-language Short Title Catalogue indicates that separate printed items (all titles) increased almost ten-fold over this short period of time. Printing was not necessarily a political act: as printing became more affordable and accessible, private petitioners could make use of print in what Jason Peacey has termed ‘discreet’ petitioning.²³ Assemblies or authorities could also choose to publish petitions or summaries for their own purposes, as seen in the Swedish Riksdag in the period of limited constitutional monarchy between 1719 and 1772.²⁴ Recourse to print for oppositional reasons was most visible in England in the 1640s and 1650s, but it was also adopted elsewhere, often through texts disguised as something other than a petition. Print publication could broaden the original dialogue into something resembling engagement in the ‘public sphere’. As we would expect, such experimentation was episodic and highly context-sensitive, but the tactics of printing and mass subscription began to move the petitioning process away from a private negotiation towards something more akin to a public confrontation, which might well alarm the authorities.²⁵ As Mark Knights has

²³ Peacey, *Print and Public Politics*, ch. 8.

²⁴ Almbjör, *The voice of the people*, pp. 91-3

²⁵ On the vigorous debate amongst early modern historians concerning public opinion, public space and the ‘public sphere’, see D. Zaret, ‘Petitioning places and the credibility of opinion in the public sphere in seventeenth-century England’, in B. Kümin (ed.), *Political*

shown, these practices stimulated fierce debate in England on who constituted the community, how consensus or majority opinion should be measured, and how far parliamentary representatives should be obedient to petitions from constituents.²⁶

The rate of preservation of petitions varies across early modern Europe: in some contexts, large caches have been archived, while in others only the outcome of successful petitions was noted. The sheer quantity of uncatalogued petitions can make research difficult, though digitization projects are facilitating access to these under-utilized resources.²⁷ Where available, petitions offer very rich source material. The ways in which petitions were sent, received, processed and acted upon in different (sometimes rapidly changing) political environments can tell us a great deal about the function of authority and the nature of the state. If petitions appeared to work, the quality of civic participation could foster a sense of identity and ‘belonging’. Equally, petitions could lead to confrontation and repression. In short, all aspects of political petitioning deserve further research in every stage of the process: the historical origins of the language and conceptual framework of early modern petitioning including ideas of authority and representation, how and by whom a petition might be drafted, the processes

Space in Pre-industrial Europe (Farnham, 2009), pp. 175–95; A. Gestrich, ‘The public sphere and the Habermas debate’, *German History* 24, (2006), pp. 413–30; and further references in the individual articles that follow.

²⁶ Knights, *Representation*.

²⁷ Ormrod, ‘Murmur, clamour and noise’, p. 136.

of presentation and negotiation, and ultimately (where visible) the resulting decision-making process. If we take into account the many forms and inventive techniques of petitioning in the seventeenth and eighteenth centuries, it becomes clear that we are dealing with a porous and adaptable form of communication, difficult to control by those in positions of authority, but too important to ignore.

In addressing this research agenda, Alan MacDonald, Alasdair Raffe and John Finlay consider institutional petitioning practices in the Scottish royal burghs, church courts and law courts. These articles provide a baseline for understanding how early modern Scots used petitions to make requests and complaints and how these routine practices could be appropriated in more assertive campaigns of protest and resistance.

As Alan MacDonald states, '[c]loser study of everyday petitioning provides an important foundation from which interactions between governors and the governed can be understood'. MacDonald investigates petitioning by Scotland's incorporated burghs to their national body, the Convention of Royal Burghs, and to the Scottish parliament and privy council. Distinguishing between petitions on national affairs and more 'prosaic' matters, MacDonald shows how member burghs used complaints and supplications to ask the Convention to resolve local grievances or support onward requests to the privy council, for example to authorize a local tax. The petitions show how the Convention facilitated the self-regulation of the burghs and increased their clout with central authorities. Though the royal burghs had separate representation in

the Scottish parliament (as did privileged free towns in Sweden), as commoners they were relatively weak and there were few burghers on the privy council. The Convention provided a unified voice for the burghs at a national level, but MacDonald indicates that this form of petitioning became less significant after the 1603 union of the Scottish and English crowns and as the relative growth of baronial burghs made the Convention of Royal Burghs less representative of urban interests.

Alasdair Raffé's study of local, regional and national courts in the reformed Church of Scotland shows the use of petitioning at all levels. Petitions operated as a standard device to make something happen, whether as an extraordinary request, such as a suit for charity or relief from discipline, or a plea for higher authorities to endorse or chivvy normal administrative processes. Parishioners and church courts could also use petitionary devices to attempt to influence decisions of a political nature. When the appointment of a new parish minister was contested, petitions in favour of a candidate might include the signatures of like-minded parishioners, with notary publics signing for those who could not write. Regional presbyteries, synods and the General Assembly, and its standing executive body, the Commission, sent, at various times, 'petitions', 'representations' and 'addresses' to the Scottish parliament on disputed matters. These engendered some controversy on how far churchmen should involve themselves in civil affairs but for many were justified by a duty to protect the Church and exonerate their consciences.

Petitioning in its purest procedural form is found by John Finlay in Scotland's highest civil court, the Court of Session. Focusing on the eighteenth century, Finlay notes that petitioning followed technical forms and carefully defined processes and was nearly always undertaken by lawyers on behalf of their clients. Petitions could be used to seek appointment to offices, the hearing of civil disputes or the investigation of criminal offences or other matters which could only be resolved in law. Petitions to the Court of Session were formal documents, normally handwritten but occasionally printed and even published. Typifying the formulaic and deferential language of petitioning, these petitions signal the foundational importance of legal culture in defining the petition in other contexts.

Outside of Scotland, Thomas Munck examines the very extensive and formalized use of petitioning to the crown in Denmark-Norway, pointing out that in this exceptionally centralized monarchy petitioning grew enormously and played a crucial role in ensuring that local and central authorities were at least nominally accessible and to some degree accountable. Petitioning in such a conservative political environment could not easily address national political issues but worked well in dealing with particular problems of devolved authority by allowing commoners to protest against perceived injustices, or officeholders to represent local interests by bringing problems to the attention of central government.

The papers by Munck and Raffe signal the significance of petitioning as a

political safety-valve, whether at local or national levels, allowing subjects to bring problems to the attention of the relevant authorities. In an article focusing on the contentious reign of Charles I (1625–49) in the British composite monarchy, Laura Stewart shows how Charles's unwillingness to respond to increasingly insistent collective petitions contributed to a Scottish revolt against his authority from 1637; and how the resulting revolutionary regime took care to re-establish channels for the presentation of private grievances to the Scottish parliament, while ensuring that its own authority could not be challenged by unregulated petitioning on matters of state. In a related paper, Karin Bowie shows how the late Stuart Scottish and English governments sought to restrain collective petitioning on public affairs. This triggered an extended contest in which a presumed customary right to petition for relief of grievances was converted to a constitutional right, secured in both realms by the Revolution of 1688–89, but hedged by statutes and norms that limited popular participation.

Jason Peacey takes advantage of the growing use of print in England from the 1640s to investigate the 'social dramas' found in surviving caches of printed petitions to the English parliament. Most of these were 'discreet' printed petitions, designed to lobby parliament on behalf of the concerns of a private individual or group. Though not obviously political, these nevertheless were 'elaborate rhetorical productions' that reveal a contemporary 'political imaginary'; that is, how parliament, royal authority and other forms of power and associated processes were understood by contemporaries. The documents

reveal a hope for justice in outcomes and efficiency in parliamentary procedures, where both radicalization and pragmatism can be traced as petitioners sought to influence members of parliament or reanimate stalled proposals.

Looking also at England, Edward Vallance considers the afterlife of petitions with a study of addressing and memory in the borough of Great Yarmouth. The purpose of a loyal address was to make a public statement of support, but when regimes changed an address could become embarrassing, or even dangerous. Vallance shows how personal copies and newsbook prints of a loyal address by Great Yarmouth to Richard Cromwell in 1658 came back to haunt the perpetrators and shaped histories of the city for centuries thereafter.

In describing early modern petitioning practices, these articles confirm both the ubiquity and the diversity of petitioning across national contexts. The conclusions reached here are broadly compatible with what we know about petitioning in the Holy Roman Empire and elsewhere. Early modern Europe shared a conviction that the governed should as of right be able to petition their governors. This yielded widely-accepted procedures and forms that could be co-opted by political dissidents and augmented by print publication. However, more research is needed to refine our understanding of petitioning in different social and political contexts across Europe, and what the complex and ritualized language used in each context can tell us about power structures, social status and political culture. It is clear that collective participation, and the selective use

of print to enhance dissemination, could change the nature of petitioning, and articulate what later generations would call ‘public opinion’. By evaluating the particular contexts and ways in which petitions were used to express arguments on behalf of groups, we can better understand how, by the early nineteenth century, petitions could be understood to embody not just the humble request but the collective will of communities, social groups or even a whole nation of citizens.²⁸

Notes on contributors

Karin Bowie is Senior Lecturer in early modern Scottish History at the University of Glasgow. She studies early modern forms of petitioning, political participation and public opinion. Her books include *Addresses against Incorporating Union 1706-1707* (Woodbridge, 2018) and *Scottish Public Opinion and the Anglo-Scottish Union* (Woodbridge, 2007).

Thomas Munck is Professor of Early Modern European History at the University of Glasgow. He is author of *Seventeenth-Century Europe: State, Conflict and the Social Order in Europe 1598-1700* (Basingstoke, 1990, second edition 2005) and *The Enlightenment: a Comparative Social History 1721-1794* (London, 2000). He is currently working on a book on *Print and Political Culture in Europe 1635-1795*.

²⁸ D.P. Cerezales, ‘Embodying public opinion: from petitions to mass meetings in nineteenth-century Portugal’, *eJournal of Portuguese History* 9, (2011), pp. 2–5.

